

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 21-cr-11 (JRT/TNL)

Plaintiff,

v.

ORDER

Josbel Eliazar Araujo Castillo,

Defendant.

This matter comes before the Court on Defendant Josbel Eliazar Araujo Castillo's Motion to Extend Dates (ECF No. 42). Defendant has also filed a Statement of Facts in Support of Defendant's Motion for Extension of Time to File Motions (ECF No. 43). In his motion, Defendant requested an approximately 80-day extension of time to file pretrial motions and all corresponding dates as he needs additional time to review discovery with counsel and, due to COVID-19, in-person visits at the facility where he is detained "have been curtailed." (ECF No. 42 at 1; *accord* ECF No. 403 at 1.) Additionally, all communication between Defendant and defense counsel must be conducted through an interpreter. (ECF No. 42 at 1.)

Following a status conference with the Court (ECF No. 46), Defendant filed a letter amending his request, and asked to have until December 10, 2021, to file any pretrial motions in this case. (ECF No. 47.) The Government does not object to a continuance of the motions deadline to December 10. (*Id.*) A change of plea hearing has been set before the district judge on December 21, 2021. (ECF No. 45.) The Court will therefore grant

Defendant's motion in part to the extent he requests a continuance of the pretrial motions filing deadline to December 10, 2021. Defendant's request to extend other dates is denied at this time. In the event the parties are unable to resolve this case by December 10, Defendant may seek further relief from this Court.

In addition, pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources as they take action to resolve this case. Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Extend Dates (ECF No. 42) is **GRANTED IN PART** and **DENIED IN PART** as specifically outlined herein.
2. The period of time from **November 30, 2021 through December 10, 2021**, shall be excluded from Speedy Trial Act computations in this case.
3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **December 10, 2021**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Leung.

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4. Counsel shall electronically file a letter on or before **December 10, 2021**, if no motions will be filed and there is no need for hearing.

Dated: December 7, 2021

s/Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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